



2026:AHC:30622

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 1867 of 2026

Shyam Narayan Yadav

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Razia Sultan, Yashpal Yadav
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Yashpal Yadav as well as Ms. Razia Sultan, learned counsel for the writ petitioner and Sri Rahul Malviya, learned Standing Counsel for the State.
2. This Court entertained the writ petition on 09.02.2026 and sought instructions.
3. Today, instructions have been served under the signature of Additional Police Commissioner, Headquarters, Commissionerate, Prayagraj dated 11.02.2026 which is taken on record.
4. The case of the writ petitioner is that by virtue of the order dated 15.06.2025, he was transferred from Prayagraj to Lucknow. However, the relieving order has been passed on 10.10.2025 relieving the writ petitioner from the post of Sub-Inspector from Prayagraj to Lucknow. Learned counsel for the writ petitioner has sought to argue that the writ petitioner could not have been relieved after a period of four months, which itself is not in conformity and consonance with the Circular dated 17.10.2025. Reliance has also been placed upon a decision in **Special Appeal No. 481 of 2024** decided on 14.5.2024.
5. Sri Rahul Malviya, learned Standing Counsel, who appears for the respondents, submits that though the writ petitioner can be transferred from one place to another in administrative exigency, but the relieving order herein has been passed on 10.10.2025, and the transfer order was dated 15.06.2025 and as per the Circular of respondents, the relieving is to be done within a period of 10 days. According to him, the order be set aside.

6. Considering the submissions so made across the bar and perusing the records carefully, the inevitable conclusion stands that the transfer order came to be passed on 15.06.2025 transferring the writ petitioner from Varanasi to Lucknow, however, the relieving order came to be passed on 10.10.2025, i.e. after a period of 10 days, approximately after 4 months, which is not permissible as per the Government order and policy of the respondents.

7. Accordingly, the transfer order dated 15.06.2025 and relieving order dated 10.10.2025 are set aside, leaving it open for the respondents to pass a fresh order.

8. With the aforesaid observations, the writ petition stands **disposed of**.

9. Instructions filed today are taken on record and marked as Appendix 'A'.

February 11, 2026

Rajesh

(Vikas Budhwar,J.)